

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

STEVEN SURABIAN and
RICHARD SURABIAN

Plaintiffs,

v.

EMC MORTGAGE CORPORATION,
WELLS FARGO BANK, NATIONAL
ASSOCIATION as Trustee for the
Certificateholders of Structured
Asset Mortgage Investments II Inc.,
Greenpoint MTA Trust 2005-AR2,
Mortgage Pass-Through Certificates,
Series 2005-AR2,
DAVID A. SIMPSON, P.C., and
KELLAM & PETTIT, P.A.

Defendants.

CIVIL ACTION
No. 12-11488-WGY

YOUNG, D.J.

December 5, 2013

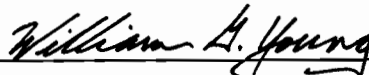
ORDER

On October 10, 2013, the Court held a hearing on the motions to dismiss filed by EMC Mortgage Corporation, Wells Fargo Bank, National Association as Trustee for the Certificateholders of Structured Asset Mortgage Investments II Inc., Greenpoint MTA Trust 2005-AR2, Mortgage Pass-Through Certificates, Series 2005-AR2, David A. Simpson, P.C., and Kellam & Pettit, P.A. (collectively, the "Defendants"). On the occasion, Steven and Richard Surabian, who were proceeding pro se, informed the Court that they would like to retain counsel

and were given thirty days to do so. Elec. Clerk's Notes, Oct. 10, 2013, ECF No. 51. No appearance, however, was entered, and therefore the Court now rules on the pending motions to dismiss.

As the Defendants rightfully pointed out in their motions, this Court lacks subject-matter jurisdiction on this case, per the Rooker-Feldman doctrine. Accordingly, this Court GRANTS both motions to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(1), ECF No. 40, 41.

SO ORDERED.


WILLIAM G. YOUNG
DISTRICT JUDGE